IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

BRIAN HUDDLESTON,

Plaintiff,

CIVIL ACTION No. 4:20CV447

JUDGE AMOS MAZZANT

v.

FEDERAL BUREAU OF INVESTIGATION and UNITED STATES DEPARTMENT OF JUSTICE,

Defendants.

<u>DEFENDANT FBI'S UNOPPOSED MOTION FOR LEAVE</u> <u>TO SUBMIT EXHIBIT IN CAMERA</u>

Defendant Federal Bureau of Investigation ("FBI") moves for leave to file an exhibit *in camera*, and states the following in support:

Defendant FBI is filing this date, a Combined Reply/Response to Pending Briefing Regarding Seth Rich's "Laptops." In support thereof, the FBI requests to submit an exhibit for *in camera* inspection to simplify some of the issues pending before the Court. Specifically, Plaintiff claims the FBI has misled the Court regarding Seth Rich's personal laptop and challenges the FBI's assertion that the only information the FBI possesses related to Seth Rich's personal laptop is a compact disc containing images of the laptop that was provided to the FBI by a local law enforcement agency. In response, the FBI would like to provide the Court with a see through redacted version of the FD-302

identified in the FBI's *Vaughn* Index at 405-407. The FD-302 should clarify for the Court exactly what was provided to the FBI, by whom, and for what purpose. The FD-302 will also further justify the FBI's assertion of Exemptions 7(D)-3 and 7(E)-6.

Because the FBI cannot release the unredacted FD-302 into the public record without harming the 7(D)-3 and 7(E)-2 protections, and because the FBI believes the see through redacted record will clarify matters for the Court, the FBI respectfully requests leave to submit an Exhibit A *in camera*.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

/s Andrea L. Parker

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2022, a true and correct copy of the foregoing document was filed electronically with the court and has been sent to counsel of record via the court's electronic filing system.

/s/ Andrea L. Parker

ANDREA L. PARKER
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

I hereby certify that I have discussed this motion with Plaintiff's counsel, and he is not opposed to the motion but has indicated that he plans to ask the court for permission to view Exhibit A pursuant to an attorney eyes only order, which Defendant would oppose.

/s/ Andrea L. Parker
ANDREA L. PARKER
Assistant United States Attorney